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EXAMINER

PITARO, RYAN F

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

07/30/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/694,715

Applicant(s)

MAANNITY ET AL.

Examiner

RYAN F. PITARO

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 have been examined.

Response to Amendment

2. This action is in response to the Amendment filed 5/20/2010. This action is Final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

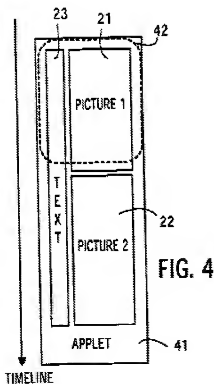
Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alvesalo ("Alvesalo", US 2003/0222899) in view of Pavley et al ("Pavley", US 7,337,403).

As per claim 1, Alvesalo teaches a method, comprising:

assembling in a handheld telecommunication terminal a plurality of image objects of a slide in a first column, the plurality of image objects forming a part of the slide that change and are to be displayed sequentially one after the other when a multimedia presentation is played on the handheld telecommunication terminal having a display device [0025]-[0026], and

also assembling in the handheld telecommunication terminal any and all objects of the slide in a second column, the any and all objects forming part of the slide that remain static and are to be displayed in parallel with and side-by-side with any of the plurality of objects of the first column when the multimedia presentation is played ([0021] parallel and [0025]-[0026]); and

displaying at the same time the first and second column side-by-side on the display device in the same horizontal arrangement as the objects will be displayed when the multimedia presentation is played, for editing by a user [0025]-[0026].



Alvesalo fails to distinctly point out teaching presenting the user with a dialog box in which the user is able to provide a duration that the plurality of objects is to be displayed. However, Pavley teaches the method further comprising presenting the user with a dialog box in

which the user is able to provide a duration that the plurality of image objects of the slide that change is to be displayed (Figure 21, Column 16 lines 20-33, The second property the user may change is the duration the media object will be played back before the next media object is played).

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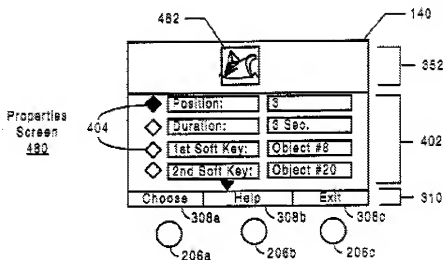
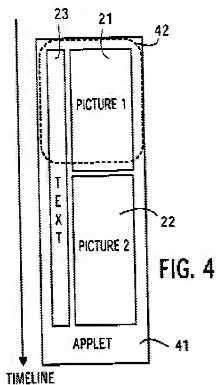


FIG. 21

Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Pavley with the method of Alvesalo. Motivation to do so would have been to apply a known technique in order to give the user more control over the customization the presentation which would have yielded predictable results.

As per claim 2, Avesalo-Pavley teaches a method as in claim 1, wherein the multimedia presentation is for communication as a multimedia message service message (Alvesalo, [0004]).

As per claim 3, Avesalo-Pavley teaches a method as in claim 1, wherein a synchronized multimedia integration language is used to prescribe how the multimedia presentation is to be played, and the objects in the first column displayed for editing are the objects included in a sequential time container within a parallel time container of a code fragment according to the synchronized multimedia integration language (Avesalo)



Claim 4 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

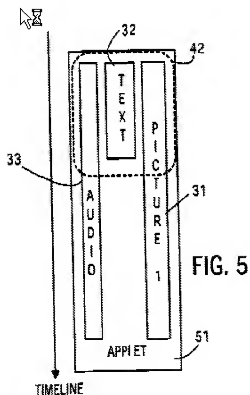
Claims 5 and 11 are similar in scope to that of claim 1 and are therefore rejected under similar rationale.

Claim 6 is similar in scope to that of claim 2 and is therefore rejected under similar rationale.

Claim 7 is similar in scope to that of claim 3 and is therefore rejected under similar rationale.

Claim 8 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

As per claim 9, Avesalo-Pavley teaches a method as in claim 1, wherein the second column includes only one object, which is to be displayed continuously when the presentation is played (Avesalo, Figure 4 above timeline or see figure 5 below audio and picture 1)



Claim 10 is similar in scope to that of claim 9, and is therefore rejected under similar rationale.

Claim 12 is similar in scope to that of claim 2 and is therefore rejected under similar rationale.

Claim 13 is similar in scope to that of claim 2 and is therefore rejected under similar rationale.

As per claim 14, Avesalo-Pavley teaches a telecommunications network including a plurality of telecommunications terminals at least one of which includes an apparatus according to claim 11 (Avesalo, [0018] communication network).

Claim 15 is similar in scope to that of claim 9, and is therefore rejected under similar rationale

As per claim 16, Avesalo-Pavley teaches a method as in claim 1, wherein the method further comprises receiving a signal from the user containing information that the user would like to prescribe one or more properties for an image being displayed in an edit mode (Avesalo, [0026]).

As per claim 17, Avesalo-Pavley teaches a method as in claim 1, wherein the method further comprises presenting the user with a dialog box in which the user is able to provide one or more properties for an image to be displayed, including to indicate the duration the image is to be displayed (Avesalo, [0024] adjust the time allocated and defining durations).

As per claim 18, Avesalo-Pavley teaches a method as in claim 17, wherein the method further comprises generating a code based on the one or more properties ascribed to each image and the arrangement of objects on the display device in an editor mode, including where the code is based on a synchronized multimedia integration language (Avesalo, [0004] SMIL).

As per claim 19, Avesalo-Pavley teaches a method as in claim 1, wherein the method further comprises generating a code assuming a default duration for a slide into time segments of the same duration for each image, including where the code is based on a synchronized multimedia integration language (Avesalo, [0004] SMIL).

As per claim 20, Avesalo-Pavley teaches a method as in claim 1, wherein the method further comprises presenting the user with a text editor by which the user can provide a code for a slide, including referring to images either based on names associated with each and included in respective properties of the images, or based on an order in which the images appear on the display device in an edit mode, and also including where the code is based on a synchronized multimedia integration language (Avesalo, [0004] SMIL and [0007])).

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN F. PITARO whose telephone number is (571)272-4071. The examiner can normally be reached on 9:00am - 5:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on 571-272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan F Pitaro/
Primary Examiner, Art Unit 2174